

**STATEMENT OF MARTA ADAMS
SENIOR DEPUTY ATTORNEY GENERAL
U.S. DEPARTMENT OF ENERGY PUBLIC HEARING
October 4, 2001—Reno, Nevada**

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For the record, I am Marta Adams, Senior Deputy Attorney General, appearing on behalf of the Nevada Attorney General's Office. Please note that the Attorney General's Office has already submitted formal comments at the Department of Energy's Yucca Mountain hearing on September 5, 2001 in Las Vegas which are part of the administrative record. For purposes of this hearing, I am appearing to register another protest to this premature proceeding which was not even announced to the public until last Friday, September 28, 2001. I should also emphasize that the public notice itself did not appear in the Federal Register until Monday of this week. 3 days is hardly sufficient notice for citizens to arrange to appear, much less to address a subject as complex as the proposed nuclear waste repository at Yucca Mountain. The Department of Energy is again elevating form over substance and is conducting field hearings throughout Nevada with wholly inadequate notice to the public and before key documents have been produced which would enable meaningful public input into a decision which could dramatically affect all Nevadans.

Not only was public notice of the "field" hearings inadequate, but the hearings themselves are occurring prematurely and outside the sequence of events mandated by the Nuclear Waste Policy Act. DOE has not issued its final environmental impact statement (EIS) for Yucca Mountain nor has it finalized its siting guidelines for the repository. Without these key documents in final form, the public simply cannot meaningfully assess the environmental effects of the largest public works project in human history. Ironically, the State of Nevada cannot initiate legal challenges to either the EIS or the siting guidelines until they are final. The Attorney General's office will challenge these documents at the appropriate time as it continues to hone its arguments against the Yucca Mountain Project.

Because DOE has not yet finalized its EIS or its siting guidelines, it is reasonable to assume that DOE is conducting these "sham" public hearings to convey to the public the impression that the Yucca Mountain repository is an inevitability. Nothing could be further from the truth. The many serious flaws in the project are becoming increasingly evident as the State reviews the various preliminary documents issued by DOE. With the recent terrorist assaults in our country, it is obvious that transportation of deadly nuclear waste over a thirty year period presents the nation with unacceptable risks. As DOE moves forward toward its probable site recommendation, the State of Nevada stands ready to oppose this project at every conceivable juncture. Thank you.